

REMARKS

Reconsideration of this application is respectfully requested. Independent claim 15, which was rejected, has been canceled herewith and replaced by new independent claim 22. Dependent claims 16-21 were indicated to be allowable if rewritten to overcome the Section 112 rejection of claim 15 and to include all limitations of the base and any intervening claims.

Applicant has responded to the Examiner's objections to the abstract of the disclosure and the title of the invention by supplying a substitute abstract and title. While overcoming the stated objections, the replacement language has also been modified to eliminate reference to the formation of a "single-cell" type of window covering, because that structure was only one of several alternative embodiments disclosed as being formed from a multiple-column type of honeycomb cellular starting structure.

The 35 USC §112 Rejection. The several phrases that the Examiner cited as being indefinite have been modified to eliminate the stated grounds for indefiniteness. Of particular note, however, is the use of the term "severed," which the Examiner regarded as indefinite because it "may be interpreted more as a method step than a structural limitation, which would be improper in the context of these article claims." Applicant respectfully submits that the substitution of the current phrase "a first set of severed internal ligaments" in the sole independent claim 22 for the previous "selected ones of the plurality of internal ligaments are severed" in canceled independent claim 15 avoids the rejection. The replacement language of claim 22 clearly refers to the present condition of the ligaments, rather than to a process step of "severing" that might be implied from the now-canceled "are severed" language. Thus, certain of the ligaments of the claimed article are properly

described as “severed;” the drawings show the ligaments both before and after the severing step, and it can be seen that the final product includes “severed” ligaments. That is, the fragments of the originally intact ligaments are visible as a part of the finished product. Even if the limitation in question were considered to be a product-by-process limitation in an article claim, a conclusion with which Applicant does not agree, that type of limitation may still be acceptable where that element of the article cannot readily be described in any other way. Applicant therefore respectfully submits that the revised language of newly presented claim 22 avoids the Section 112 rejections.

The 35 USC §102 Rejection. Independent claim 15 (now canceled) was rejected as anticipated by **Colson et al ‘750** (see cut lines 902 and 904 in Figs. 32A and 32B). **Colson** does not anticipate or render obvious new independent claim 22. According to **Colson’s** specification, “the uppermost cells 60a, 62a are cut along lines 902, 904” (col. 21, lines 42-43) to permit insertion of a stiffener strip 230 as a means for suspending the cellular product from the header channel. The severed fabric in **Colson** is not an “internal ligament” as in claim 22, but rather is the topmost, external portion of the cellular product. Furthermore, **Colson’s** severed elements are not “spaced from each other in a repeating sequence along the height of the columns” as in claim 22, but rather appear only once at the very top of the columns, with no other vertically spaced ligaments being severed to eliminate other cells. Therefore, **Colson’s** structure is substantially different than that claimed, and it performs an entirely different function. **Colson** does not anticipate newly presented independent claim 22, and does not render such claim obvious. Dependent claims 16-21, having been indicated to be allowable but for the now-canceled independent claim 15, should therefore also be allowable along with new independent claim 22. Favorable reconsideration of this application is therefore earnestly and respectfully submitted.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 63427-0285 from which the undersigned is authorized to draw.

Dated: July 13, 2004

Respectfully submitted,

By

Richard D. Grauer

Registration No.: 22,388
RADER, FISHMAN & GRAUER PLLC
39533 Woodward Avenue
Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0640
Attorney for Applicant
Customer No. 010291